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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/799,417	03/12/2004	Paul A. Krieg	20825-0004	6904

7590  
Kathryn H. Wade, Ph.D.  
SUTHERLAND ASBILL & BRENNAN LLP  
999 Peachtree Street, NE  
Atlanta, GA 30309-3996

02/16/2010

EXAMINER

BRISTOL, LYNN ANNE

ART UNIT

PAPER NUMBER

1643

MAIL DATE

DELIVERY MODE

02/16/2010

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Examiner-Initiated Interview Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/799,417	KRIEG, PAUL A.	
	<b>Examiner</b>	<b>Art Unit</b>	
	LYNN BRISTOL	1643	

  

**All Participants:**

(1) LYNN BRISTOL.

(2) Wm. Warren.

**Date of Interview:** 5 February 2010

**Type of Interview:**

☒ Telephonic  
☐ Video Conference  
☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

Exhibit Shown or Demonstrated: ☐ Yes ☒ No  
 If Yes, provide a brief description: .

**Part I.**

Rejection(s) discussed:  
*proposed draft claim set*

Claims discussed:  
*proposed draft claim set*

Prior art documents discussed:  
*proposed draft claim set*

**Part II.**

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:  
*See Continuation Sheet*

**Part III.**

☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.

☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.

**Status of Application:** pending

(3) Allan Robins.

(4) \_\_\_\_\_.

**Time:** 9:00 AM

  

/Lynn Bristol/  
Primary Examiner

(Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: Telephone message re: allowed European claims drawn to method per se (Claim 1) are performed in vitro and not in vivo as proposed in draft claim set; recitation in proposed draft Claim 1 as explanation of angiogenesis is acknowledged, however, claims do not meet written description for the genus of functionalized antibodies having all of the following properties: i) binding apelin in vivo; ii) inhibiting angiogenesis in vivo; iii) mediating anti-angiogenesis for any kind of angiogenesis in any human subject; and iv) having the functional properties of claims 2-4.